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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/474,948 | 12/30/1999 | BRIAN PARSONNET | 25302 | 2982 |

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EXAMINER

JEANTY, ROMAIN

ART UNIT

PAPER NUMBER

3623

DATE MAILED: 11/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/474,948 | PARSONNET ET AL. | |
| | Examiner | Art Unit | |
| | Romain Jeanty | 3623 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 17 July 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) 31-55 is/are withdrawn from consideration.
- 5) Claim(s) 10, 20, 30 is/are allowed.
- 6) Claim(s) 1-9, 11-19 and 21-29 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Request for Continued Examination

1. This communication is in response to the request filed on January XXX, 2002 for a Request for Continued Examination (RCE) under 37 CFR 1.53(d). The request is acceptable and a RCE has been established. An action on the RCE follows.

2. Claims 1-30 are presented for examination.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 5-9, 11-12, 15-19, 21-22, 25-29 are rejected under 35 U.S.C 103(a) as being unpatentable over Shkedy (U.S. Patent No. 6,260,024) in view of Buzsaki (U.S. Patent No. 5,987,422).

As per claim 1-2, 5-9 and 15-16, Shkedy discloses a method for facilitating a transaction between a plurality of buyers and sellers comprising:

a main controller “central controller” capable of creating a first work flow record used to control a first work flow associated with a first service request and storing said first work flow record in a storage device associated with said main controller main controller or (i.e., a central controller capable of receiving a first service request from a first of said plurality of buyers and sellers. Note col. 5, lines 2-6 and col. 9, lines 18-20, generating a status record of the purchase

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order information in a remote server associated with the central controller. Note col. 5, lines 31-34; col. 5 line 61 through col. 6, line 12; col. 7 lines 49-59; col. 10, lines 1-10); the central controller transmitting messages between the sellers and buyers regarding the status record of the purchase order (col. 12, lines 47-55) which reads on “wherein said main controller is further capable of receiving from a first customer and a first vendor associated with said first work flow at least one of messages, storing said at least one of messages, in said storage device, and transferring at least one of said at least one of messages, to at least one of said first customer and said first vendor”;

Shkedy further discloses the central controller calculates a flat fee is charged for every FPO 100 submitted. There could also be flat fees that would cover any number of purchase orders. It is noted that an accounting controller is located in the central controller (col. 18, lines 23-32) which reads on “an accounting controller associated with said main controller capable of identifying at least one fee associated with said first work flow and storing fee data associated with said at least one fee in said first work flow record”

Shkedy does not explicitly disclose the following and Buzsaki discloses executing a workflow upon receiving a message (col. 5, lines 31-51; col. Col. 12 line 59 through col. 13 line 5. It would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Shkedy to include the teachings of Buzsaki. A person having ordinary skill in the art would have been motivated to use a modification so that an input from a role is solicited and processed in a smooth and efficient manner.

As per claim 2, Shekedy does not explicitly disclose wherein said first work flow record comprises a plurality of work flow definitions defining at least one process step to be performed

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by at least one of said main controller, said accounting controller, a first customer processing device associated with said first customer, and a first vendor processing device associated with said first vendor. Buzsaki discloses a method for executing workflow comprising a workflow definition (See figure 3, element 307). It would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Shkedy to include the teachings of Buzsaki. A person having ordinary skill in the art would have been motivated to use a modification so that an input from a role is solicited and processed in a smooth and efficient manner.

As to claims 5 and 6, the combination of Shkedy et al and Buzsaki fails to explicitly disclose the step "a primary work flow record" associated with a service request and a secondary workflow record associate with a second request. However, since a workflow record is associated with the first service request, it would have been obvious to a person having ordinary skill in the art to modify the disclosures of Shkedy and Buzsaki al's system to incorporate a secondary workflow record with the motivation track the workflow associated with the processing of the service requests.

As to claims 7 and 8, the combination of Shkedy and Buszaki et al discloses charging billing rates to a customer for a to service request (see claim 1 above) but the combination of Shkedy and Buszaki et al does not explicitly disclose identifying at least one additional fee associated with a said second work flow and storing second fee associated with said at least one additional fee in said first work flow record. However, these features are equivalent having more steps or additional labor time to perform a service request for a customer. Including these

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features into Shkedy and Buszaki et al would have been obvious to a person of ordinary skill in the art for charging the customer an additional fee for the incurred labor.

As per claim 9, Shkedy discloses a seller interface allowing a potential seller to browse the list of available PPOs (i.e. those with a status of 'active') to provide the requested service to the buyer, which reads on "wherein a first service request associated with said first service request is performed by a customized computer-executable application generated by said first vendor, wherein said customized computer-executable application performs operations designed by said first vendor to meet unique requirements of said first vendor) (col. 16, lines 39-57).

As per claims 11 and 21, Shkedy discloses a method for facilitating a transaction between a plurality of buyers and sellers comprising:

a plurality of customers data processing devices capable of generating service requests created by a plurality of customers "buyers" (See figure 1, element 16 and col. 4, lines 48-59);

a plurality of vendors data processing devices associated with a plurality of vendors "sellers" (See figure 1, element 16 and col. 4, lines 48-59);

A system for managing for monitoring and controlling work flows associated with said service requests between said plurality of customers and said plurality of vendors (i.e. tracking the status of the purchase request (col. 10, lines 33-38);

a main controller "central controller" capable of creating a first work flow record used to control a first work flow associated with a first service request and storing said first work flow record in a storage device associated with said main controller main controller or (i.e., a central controller capable of receiving a first service request from a first of said plurality of buyers and sellers. Note col. 5, lines 2-6 and col. 9, lines 18-20, generating a status record of the purchase

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order information in a remote server associated with the central controller. Note col. 5, lines 31-34; col. 5 line 61 through col. 6, line 12; col. 7 lines 49-59; col. 10, lines 1-10); the central controller transmitting messages between the sellers and buyers regarding the status record of the purchase order (col. 12, lines 47-55) which reads on “wherein said main controller is further capable of receiving from a first customer and a first vendor associated with said first work flow at least one of messages, storing said at least one of messages, in said storage device, and transferring at least one of said at least one of messages, to at least one of said first customer and said first vendor”.

Shkedy further discloses the central controller for calculating a flat fee for every FPO 100 submitted. There could also be flat fees that would cover any number of purchase orders. It is noted that an accounting controller is located in the central controller (col. 18, lines 23-32) which reads on “an accounting controller associated with said main controller capable of identifying at least one fee associated with said first work flow and storing fee data associated with said at least one fee in said first work flow record”

Shkedy does not explicitly disclose the following and Buzsaki discloses executing a workflow upon receiving a message (col. 5, lines 31-51; col. Col. 12 line 59 through col. 13 line 5. It would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Shkedy to include the teachings of Buzsaki. A person having ordinary skill in the art would have been motivated to use a modification so that an input from a role is solicited and processed in a smooth and efficient manner.

As per claim 12, Shekedy does not explicitly disclose wherein said first work flow record comprises a plurality of work flow definitions defining at least one process step to be performed

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by at least one of said main controller, said accounting controller, a first customer processing device associated with said first customer, and a first vendor processing device associated with said first vendor. Buzsaki discloses a method for executing workflow comprising a workflow definition (See figure 3, element 307). It would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Shkedy to include the teachings of Buzsaki. A person having ordinary skill in the art would have been motivated to use a modification so that an input from a role is solicited and processed in a smooth and efficient manner.

As to claims 15 and 16, the combination of Shkedy et al and Buzsaki fails to explicitly disclose the step "a primary work flow record" associated with a service request and a secondary workflow record associate with a second request. However, since a workflow record is associated with the first service request, it would have been obvious to a person having ordinary skill in the art to modify the disclosures of Shkedy and Buzsaki al's system to incorporate a secondary workflow record with the motivation track the workflow associated with the processing of the service requests.

As to claims 17 and 18, the combination of Shkedy and Buszaki et al discloses charging billing rates to a customer for a to service request (see claim 1 above) but the combination of Shkedy and Buszaki et al does not explicitly disclose identifying at least one additional fee associated with a said second work flow and storing second fee associated with said at least one additional fee in said first work flow record. However, these features are equivalent having more steps or additional labor time to perform a service request for a customer. Including these

features into Shkedy and Buszaki et al would have been obvious to a person of ordinary skill in the art for charging the customer an additional fee for the incurred labor.

As per claim 19, Shkedy discloses a seller interface allowing a potential seller to browse the list of available PPOs (i.e. those with a status of 'active') to provide the requested service to the buyer, which reads on "wherein a first service request associated with said first service request is performed by a customized computer-executable application generated by said first vendor , wherein said customized computer-executable application performs operations designed by said first vendor to meet unique requirements of said first vendor) (col. 16, lines 39-57).

As per claim 22, Shekedy does not explicitly disclose wherein said first work flow record comprises a plurality of work flow definitions defining at least one process step to be performed by at least one of said main controller, said accounting controller, a first customer processing device associated with said first customer, and a first vendor processing device associated with said first vendor. Buzsaki discloses a method for executing workflow comprising a workflow definition (See figure 3, element 307). It would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teachings of Shkedy to include the teachings of Buzsaki. A person having ordinary skill in the art would have been motivated to use a modification so that an input from a role is solicited and processed in a smooth and efficient manner.

As to claims 25 and 26, the combination of Shkedy et al and Buzsaki fails to explicitly disclose the step "a primary work flow record" associated with a service request and a secondary workflow record associate with a second request. However, since a workflow record is associated with the first service request, it would have been obvious to a person having ordinary

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skill in the art to modify the disclosures of Shkedy and Buzsaki al's system to incorporate a secondary workflow record with the motivation track the workflow associated with the processing of the service requests.

As to claims 27 and 28, the combination of Shkedy and Buszaki et al discloses charging billing rates to a customer for a to service request (see claim 1 above) but the combination of Shkedy and Buszaki et al does not explicitly disclose identifying at least one additional fee associated with a said second work flow and storing second fee associated with said at least one additional fee in said first work flow record. However, these features are equivalent having more steps or additional labor time to perform a service request for a customer. Including these features into Shkedy and Buszaki et al would have been obvious to a person of ordinary skill in the art for charging the customer an additional fee for the incurred labor.

As per claim 29, Shkedy discloses a seller interface allowing a potential seller to browse the list of available PPOs (i.e. those with a status of 'active') to provide the requested service to the buyer, which reads on "wherein a first service request associated with said first service request is performed by a customized computer-executable application generated by said first vendor, wherein said customized computer-executable application performs operations designed by said first vendor to meet unique requirements of said first vendor) (col. 16, lines 39-57).

5. Claims 3, 4, 13-14 and 23-24 are rejected under 35 U.S.C 103(a) as being unpatentable over Shkedy (U.S. Patent No. 6,260,024) in view of Buzsaki (U.S. Patent No. 5,9874,22) in view of Buzsaki (U. S. Patent No. 5,987,422) as applied to claims 1, 11 and 21 above and further in view of Flores (U.S. Patent No. 6,073,109).

As per claims 3-4, 13-14 and 23-24, the combination of Shkedy and Buzsaki et al does not explicitly disclose which party modifies the work orders or the work plan. However, a customer or vendor could modify work orders based on the price it will cost to repair a customer's equipment or the time it will take to fix or repair the equipment. Usually customers and vendor negotiate on prices. Therefore, allowing a customer or vendor to modify the work flow definitions would have been obvious to a person of ordinary skill in the art in order to have a dynamic or a flexible system.

Furthermore, Flores et al discloses computerized method and system for managing business processes using linked workflow which modifies workflow definitions (col. 26, lines 62 through col. 27 line 55). It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify the teachings of Shkedy and Buzsaki to include a workflow definitions modification as evidenced by Flores et al. A person having ordinary skill in the art would have been motivated to use a modification because it would enable an application builder to create modify and delete definition documents in a database.

Allowable Subject Matter

6. Claims 10, 20 and 30 are allowable
7. The following is a statement of reasons for the indication of allowable subject matter:

Prior art of record taken alone or in combination fails to teach a main controller transferring said customized computer executable application from a first data processing device associated with said first vendor to at least one of a second data processing device associated with said main controller and a third data processing device associated with said customer, wherein said main controller transfers said customized computer-executable application to said

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at least one of said second data processing device and said data processing device to cause said customized computer-executable application to execute more efficiently.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Discount et al (U.S. Patent No. 6,012,066) discloses a computerized workflow system comprising an **accounting controller** for storing billing (fee) information.

Any inquiry concerning this communication or earlier communications from the examiner should be directed Romain Jeanty whose telephone number is (703) 308-9585. The examiner can normally be reached Monday-Thursday from 7:30 am to 6:00 pm. If attempts to reach the examiner are not successful, the examiner's supervisor, Tariq R Hafiz can be reached at (703) 305-9643.

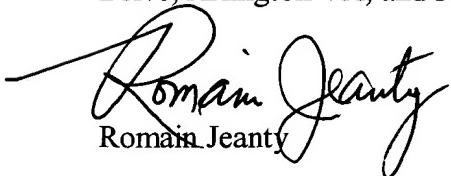
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 308-1113.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C 20231 or faxed to: (703) 305-7687

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington VA, and seventh floor receptionist.



Romain Jeanty

August 11, 2003